

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JONATHAN HADNOTT, JESSIE HADNOTT, KEVIN HUNT, and BRANDELL BETTS,)	
)	
Plaintiffs,)	Case No. 07 C 6754
)	
v.)	Judge David H. Coar
)	
MICHAEL KELLY, MARC JAROCKI, PATRICK GILMORE, and CITY OF CHICAGO,)	Magistrate Judge Schenkier
)	
Defendants.)	

**PLAINTIFFS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO SUBMIT
MEMORANDUM AND FOR ADJUSTMENT IN BRIEFING SCHEDULE**

Plaintiffs, JONATHAN HADNOTT, JESSIE HADNOTT, KEVIN HUNT, and BRANDELL BETTS, by and through their attorney, Irene K. Dymkar, hereby move this Court to enter an order for extension of time to submit their memorandum and for an adjustment in the briefing schedule. In support of their motion, plaintiffs state:

- 1) This action was commenced by the filing of a complaint alleging a cause of action under the Civil Rights Act of 1871 (42 U.S.C. §1983) to redress deprivations of the civil rights of plaintiffs through acts and/or omissions of defendants committed under color of law.
- 2) Defendants moved to place certain information under seal and for entry of a protective order (Document # 73). As part of the relief requested was a request that the Court ask plaintiff's counsel "on the record whether she has already communicated this information to her clients." On August 27, 2008, the Court ruled that "plaintiff's counsel shall submit to the Court any authority supporting her contention that she may assert attorney client privilege as a basis for refusing to disclose to the Court whether she has already given

the foregoing information to any of the plaintiffs.” The schedule set by the Court was that plaintiff’s submission was due on September 10, 2008, and defendants’ response was due on September 24, 2008.

3) Because of the uniqueness of the issues presented and because I need to obtain and review transcripts of recent rulings made by Magistrate Judge Sidney I. Schenkier and Magistrate Judge Geraldine Soat Brown, I am unable to meet the Court’s deadline to file the memorandum by today. I have had difficulties obtaining transcripts, in part because of misunderstandings with the Court Clerk’s Office as to whether transcripts had already been ordered and transcribed, and because the Court Clerk personnel determined it would be more expeditious to have an outside court reporter do the transcription, even though that turned out not to be the case because, as I was told, that required the retrieval of a CD by the outside reporter. I am still waiting for one transcript, which should be delivered on September 11, 2008.

4) In addition to the problems with transcripts, I have been required to make large time commitments in other cases, which has left me with inadequate time to devote to preparing the submission required by the Court in this case. I have taken, prepared clients and witnesses for, and participated in a large number of lengthy and intense depositions (16 depositions in four cases) in the past 14 working days. In addition, I have written two memoranda of law, drafted three motions, and researched and responded to three defense motions.

5) I contacted defense counsel Gail Reich and Ashley Kocztya and explained the above to them. Through a return call from Gail Reich, I learned that both attorneys would not oppose my request for a seven day extension of time to submit my memorandum, as long as the deadline for their response was adjusted accordingly.

WHEREFORE, plaintiffs respectfully request that the Court to grant an order extending until September 17, 2008, the deadline by which plaintiffs must submit their legal authority on the attorney/client privilege issue and extending until October 1, 2008, the deadline by which defendants must submit their response.

Dated: September 10, 2008

/s/ Irene K. Dymkar
Irene K. Dymkar

Irene K. Dymkar
Plaintiffs' Attorney
300 W. Adams Street, Suite 330
Chicago, IL 60606-5107
(312) 345-0123